IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

MACON COUNTY INVESTMENTS, INC.; REACH ONE, TEACH ONE OF AMERICA, INC.,	)
Plaintiffs,	)
v.	) CASE NO.: 3:06-CV-224-WKW
SHERIFF DAVID WARREN,	)
Defendant.	)

NOTICE OF LIMITED APPEARANCE
AND
REQUEST FOR PRETRIAL CONFERENCE OR HEARING

COME NOW Fred Gray, Fred Gray, Jr. and the Gray, Langford, Sapp, McGowan, Gray, Gray & Nathanson law firm, by and through counsel, and file this notice of limited appearance by the undersigned attorneys and request for a pretrial conference or hearing on the following grounds:

1. After the regularly scheduled pretrial conference, Plaintiffs' attorney, on or about November 5, 2007, submitted a witness list to Defendant's counsel which indicated that the Plaintiff intended to call Fred Gray and Fred Gray, Jr. as witnesses in this case.

2. A copy of the Plaintiffs' Witness List is marked Exhibit A, attached hereto and specifically incorporated herein by reference.

3. Potential witnesses Fred Gray and Fred Gray, Jr. are attorneys of record of the Defendant Sheriff David Warren, in his official capacity as the Sheriff of Macon County, Alabama.

4. The filing of the Plaintiffs' Witness List was the first notice that either Fred Gray or Fred Gray, Jr. might be called upon to testify in this case.

5. The Defendant Sheriff David Warren has notified Attorneys Fred Gray and Fred Gray, Jr. that he intends to invoke the protection of the attorney/client privilege and the attorney work product rules to the extent available.

6. In order to avoid interruption at trial and to protect the legal and ethical interest of Fred Gray, Fred Gray, Jr. and the Defendant Sheriff David Warren, the undersigned counsel for Fred Gray and Fred Gray, Jr. believe that this limited appearance is necessary.

WHEREFORE, PREMISES CONSIDERED, the undersigned respectfully requests this Court to grant an audience to the undersigned counsel and, if necessary, order an additional pretrial conference or hearing so that issues related to the attorney/client privilege and attorney work product rule can be addressed.

Respectfully submitted this the 13th day of November, 2007.

Capell & Howard, P.C.

By: ***/s/ George L. Beck, Jr.***
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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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